

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Council Meeting

August 21, 1980
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

Reverend W.M. Simpson, Associate at Ward Memorial United Methodist Church, gave the Invocation.

AFFIRMATIVE ACTION WEEK

Mayor McClellan read a proclamation designating the week of August 25-29, 1980 as Affirmative Action Week. Ms. Doris Schroeder, Austin Postmaster, accepted the proclamation with her thanks. Accompanying her were LaSalle Barnett, EEO Coordinator, US Postal Service; and Ms. Gail Sonnenberg, Public Information Assistant, US Postal Service.

LITTLE JOE DAY

A proclamation designating August 22, 1980 as Little Joe Day was read by Councilmember Trevino and accepted with thanks and appreciation by Jose Hernandez.

EQUALITY DAY

Equality Day will be observed August 26, 1980, according to a proclamation read by Mayor McClellan and accepted with thanks and appreciation by Laraine Benedikt.

APPROVAL OF MINUTES POSTPONED

Approval of the Minutes for Special Meetings of July 23, 1980 and Regular Meeting of August 7, 1980 was postponed until August 28, 1980 because Council had not yet read the Minutes.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Commission appointments will be made on August 28, 1980:

- On-Going of Goals Assembly Committee, 3
- Community Development Commission, 2 (Ron Mullen's position and one from County);
- Vending Commission, 1
- Dental Health Advisory Committee, 3
- EMS Quality Assurance Team, 1
- Environmental Board, 2
- Commission on Status of Women, 1
- Board of Adjustment, 1
- MH/MR Public Responsibility Committee, 1
- Human Relations Commission, 1

The following appointments will be made September 30, 1980,

- Manpower Advisory Planning Council, 15
- MH/MR Board of Trustees, 2

EASEMENT RELEASES

Councilmember Trevino moved that the Council adopt a resolution authorizing release of the following easement:

One 5' foot and one 7.5' foot Public Utility Easement in Lot 15, Block M, Salem Walk Section I, locally known as 5405 Jeffburn Cove. (Requested by Mr. David Norman, owner)

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a Blanket Electric and Telephone Easement as recorded in Volume 655, page 362 of the Deed Records of Travis County, Texas (August 23, 1940) 4300 Block South IH-35. (Requested by Mr. B.F. Priest representing Mrs. Craig H. Holland and Mr. Robert W. Norris)

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

PAYMENT AUTHORIZED

Councilmember Trevino moved that the Council adopt a resolution authorizing payment to the following:

MR. HASKEL G. HUDSON	- CAPITAL IMPROVEMENTS PROGRAM - The cost difference of a 12"/8" water main installed in Convict Hill Section Two - \$12,778.30 C.I.P. No. 75/22-07
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The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution authorizing payment to the following:

GULF REFINING COMPANY	- CAPITAL IMPROVEMENTS PROGRAM - Encasing of a gas pipe done in connection with the Tillery area drainage project - Not to exceed \$8,000 C.I.P. No. 78/60-06
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The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

CONTRACTS APPROVED

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

ACCRON CHEMICAL DISTRIBUTORS
3251 North Pan Am Expressway
San Antonio, Texas

- Sodium Hexametaphosphate, Water and Wastewater Department
Twelve Months Supply Agreement
Item 1 - Est. 125 tons @ \$846.00
Estimated total: \$105,750.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

STANDARD REGISTER COMPANY
7115 Burnet Road
Austin, Texas

- Resequene Control Cards and Meter
Read Tickets, Utility Customer
Services
Items 1 & 2 - \$12,518.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

STATE OF TEXAS	- State Telecommunications System
State Purchasing and General Services	(STS) Intrastate Network, Public
Commission	Information Department
Lyndon Baines Johnson Building	Estimated \$1,996.68 per month

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

JACK MILLER, INC.	- CAPITAL IMPROVEMENTS PROGRAM -
12217-B Roxie	C.D.D. No. 18 Sidewalk Program
Austin, Texas	Phase III, Engineering Department -
	\$18,093.35 C.I.P. No. 78/61-02

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Snell asked if a minority was considered for the contract. Councilmember Trevino stated it had been checked and was awarded to the low bidder as required by law. Mr. Davidson said that because of questions that have come up on this award and similar ones, he will schedule this subject as a report item in two weeks so it can be fully addressed at that time.

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

MIRANDA CONSTRUCTION COMPANY
603 Stassney Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
E. 11th Street - E. 12th Street
Corridor Improvements - HCD
E. 10th Street Alley - Phase II,
Engineering Department - \$24,416.50
C.I.P. No. 80/62-04

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

RCA MOBILE COMMUNICATIONS
8700 Stemmons Freeway
Dallas, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Mobile Relay Base Station and
Mobile Radios, Vehicle and
Equipment Services Department
Item 1, 6 ea. @ \$1,048.00
Total: \$6,288.00 C.I.P. No. 76/90-04

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

SOUTHWAY ELECTRIC UTILITY SERVICE,
INC.
9705 Beck Circle
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Transformers, Electric Utility
Department
Items 1 & 2 - \$144,175.00
C.I.P. No. 80/15-01

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

DOUGLAS W. KING COMPANY
4627 Emil Road
San Antonio, Texas

- Grass Seed, Parks & Recreation
Department
Item 1, 17,150 lbs. @ \$.87
Total \$14,920.50

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

AUSTIN AMERICAN STATESMAN
308 Guadalupe
Austin, Texas

- Printing and City Wide Distribution
of Fall/Winter Activity Tabloid,
Parks & Recreation Department
Item 1, 137,500 @ \$0.06614
Total: \$9,094.25

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

ASTRO-MED
Atlan-T01 Industries, Inc.
West Warwick, Rhode Island

- Portable Trendrecorder to be used
by Holly Power Plant, Electric
Department
Item 1-2, 1 ea. - \$7,825.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

DREW CHEMICAL COMPANY
One Drew Chemical Plaza
Boonton, New Jersey

- Hydrazine, Electric Utility
Department
Twelve Month Supply Agreement
Item 1 - \$16,380.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Temporary Street Closing

Councilmember Trevino moved that the Council adopt a resolution approving temporary closing of West 22½ Street from Pearl Street to Rio Grande Street from 8:00 p.m., August 23 & 24 1980, to assist students moving into Hardin House dormitories. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Extend-A-Care Contract Amended

Councilmember Trevino moved that the Council adopt a resolution authorizing amendment of contract with Extend-A-Care to remove matching requirement from funding. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

CETA Contract

Councilmember Trevino moved that the Council adopt a resolution authorizing modification of existing CETA contract with Williamson-Burnet Counties Opportunities, Inc. as follows:

a. Title II-B	\$237,196.00	d. Title IV YCCIP -	\$ 8,710.00
b. Title II-D	70,804.00	e. Title IV SYEP -	20,000.00
c. Title IV- YETP	2,728.00	f. Title VI -	65,982.00

Total: \$405,420.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

Economy Energy Brokerage System

Councilmember Trevino moved that the Council adopt a resolution authorizing the City of Austin's participation in the Economy Energy Brokerage System with six other members of the South Texas Interconnected System. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

PUBLIC HEARINGS SET

Councilmember Trevino moved that the Council set the following public hearings:

1. An appeal from Mr. Larry Anderson, Attorney for New Bethel Baptist Church, on the Building Standards Commission's decision denying a permit for structure located at 3403 Manor Road will be heard August 28, 1980 at 2:00 p.m.
2. An appeal from Mr. Andrew A. Castillo, on the Building Standard Commission's decision, denying a permit for structure located at 2211 Haskell will be heard August 28, 1980 at 2:15 p.m.
3. An appeal from Mr. Curt G. Schuze on the Planning Commission's decision to grant a special permit for the construction of five townhouses at 504/506 W. 33rd Street, C14p-80-044 will be heard September 4, 1980 at 2:00 p.m.

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

EXTENSION OF GREGORY STREET

Councilmember Trevino moved that the Council adopt a resolution authorizing a contract between the City of Austin and the Austin Redevelopment Authority in the amount of \$23,999.00 for the construction of the extension of Gregory Street adjacent to Blackshear School. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

CHANGE ORDER

Councilmember Trevino moved that the Council adopt a resolution approving a Change Order in the amount of \$23,999.00 to M.B. Justice for Gregory Street extension from Leona Street to Salina Street (Blackshear Phase II Project, HCD) CAPITAL IMPROVEMENT PROGRAM No. 79/62-05. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

AGENDA ITEM POSTPONED

Councilmember Trevino moved that the Council postpone consideration of appointment of a representative to the Central Texas Library System Advisory Council until August 28, 1980, at the time of the consent resolutions. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan

Noes: None

Speed Zone Modifications

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a), (b), (c), AND (e) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS AND DELETIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Section 21-42

Deletion: Sub-section a - 35 mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
West St. Johns Avenue	North Lamar Boulevard	200 feet east of Martin Ave.

Addition: Sub-section a - 35 mph

West St. Johns Avenue	North Lamar Boulevard (700 block)	395' west of East Crest Dr.
East St. Johns Avenue	395' west of East Crest Drive	Berkman Drive (1400 block)

Deletion: Sub-section b - 40 mph

Lamar Boulevard	201' south of Barton Skyway	260' south of West 5th Street
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Addition: Sub-section b - 40 mph

Lamar Boulevard North	260' south of West 5th Street (400 block)	West Riverside Drive (100 block)
South Lamar Boulevard	Treadwell Street (1000 block)	200' south of Barton Skyway (2800 block)

Addition: Sub-section a - 35 mph

South Lamar Boulevard	Treadwell Street (900 block)	West Riverside Drive (100 block)
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Deletion: Sub-section e - 55 mph

South Lamar Boulevard	West City Limits	350' south of Panther Trail
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Addition: Sub-section e - 55 mph

South Lamar Boulevard	West City Limits (West of Pillow Rd.) (4700 block)	Ben White Boulevard West (4400 block)
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Deletion: Sub-section e - 45 mph

South Lamar Boulevard	350' south of Panther Trail	201' south of Barton Skyway
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Temporary One-Way Streets

Mayor McClellan introduced the following ordinance:

AN ORDINANCE DESIGNATING THE DIRECTIONS IN WHICH TRAFFIC SHALL MOVE IN THE VICINITY OF MEMORIAL STADIUM ON SAN JACINTO BOULEVARD, RED RIVER STREET AND MANOR ROAD, IN ACCORDANCE WITH SECTION 21-39 OF THE AUSTIN CITY CODE OF 1967; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

<u>STREETS</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION</u>
Red River Street	15th Street	32nd Street	Southbound
San Jacinto Blvd.	Martin L. King	30th Street	Northbound

Temporary Reversible One-Way Street

Manor Road	Red River St.	Swisher	Westbound
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1979-80 Operating Budget

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY APPROPRIATING \$676.00 FROM THE VEHICLE AND EQUIPMENT SERVICES ACCOUNT FOR CUSTODIAL SERVICE PERSONNEL; APPROPRIATING \$676.00 FROM THE OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE MAINTENANCE POSITION IN THE PUBLIC WORKS DEPARTMENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1980 OPERATING BUDGET OF THE CITY OF AUSTIN BY ACCEPTING AND APPROPRIATING \$231,391.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE PURPOSE OF FUNDING EXPENSES OF THE CENTRAL TEXAS LIBRARY SYSTEM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY APPROPRIATING \$123,783.00 IN TWO GRANTS FROM THE TEXAS STATE LIBRARY TO FUND THE EXPENSES OF THE INTERLIBRARY LOAN OFFICE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

90-Day Moratorium
Loop 360 Corridor Study Area

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A TEMPORARY NINETY (90) DAY MORATORIUM ON THE PROCESSING OF ZONING APPLICATIONS IN THE LOOP 360 CORRIDOR STUDY AREA; DEFINING THE BOUNDARIES OF THE LOOP 360 CORRIDOR STUDY AREA; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Amendment to Wrecker Regulations

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 34 OF THE AUSTIN CITY CODE OF 1967, RENUMBERING SECTIONS 34-109 THROUGH 34-131 TO 34-113 THROUGH 34-131; BY ADDING SECTION 34-122 TO PROHIBIT DRIVING A WRECKER TO THE SCENE OF A COLLISION OR WRECK; AMENDING SECTION 34-129 TO PROVIDE AN ADMINISTRATIVE PENALTY; AMENDING SECTION 34-131 TO PROVIDE A CRIMINAL PENALTY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Zoning Ordinances

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN 8.283 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4202-4306 AND 4400-4412 BULL CREEK DRIVE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Austin Independent School District, C14-80-106)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan,
Councilmember Cooke

Noes: None

Abstain: Councilmembers Snell, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 61.03 ACRE TRACT OF LAND, LOCALLY KNOWN AS 11410-11608 AND 11415-11609 D.K. RANCH ROAD, 11500-11610 AND 11501-11607 SWEETSHADE LANE, 7204-7418 AND 7203-7419 FIREOAK DRIVE, 11200-11406 AND 11202-11409 DEAD OAK LANE, 7200-7302 AND 7201-7305 CARLWOOD DRIVE, 7500-7502 AND 7501-7503 LONDON BRIDGE, 11300-11506 AND 11301-11505 PRADERA DRIVE, 11400-11508 AND 11401-11509 CHARRED OAK DRIVE, 11500-11522 AND 11501-11523 ANTIGUA DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-80-120)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Snell, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE NORTH 22.83 FEET OF THE SOUTH 25.83 FEET LESS THE NORTH 2.08 FEET OF THE WEST 111 FEET OF LOT 2, BLOCK 55, ORIGINAL CITY, LOCALLY KNOWN AS 504 CONGRESS AVENUE (ROBINSON-ROSNER BUILDING), FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Robinson-Rosner Bldg., C14h-80-017)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Snell, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE NORTH 93 FEET OF THE EAST 213 FEET OF OUTLOT 24, DIVISION D, LOCALLY KNOWN AS 2110 RIO GRANDE (WHITE-SPRINGFIELD HOUSE), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O-H" OFFICE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (White-Springfield House, C14h-80-019)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, BLOCK A, NORTHWEST HILLS, SECTION 9A, LOCALLY KNOWN AS 3701 NORTH HILLS DRIVE, BOUNDED BY HART LANE, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Exxon, USA, C14-80-095)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 5, BLOCK 1, GRAHAM ADDITION, LOCALLY KNOWN AS 1613 WEST 6TH STREET, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mrs. P.J. McDonald, C14-80-090)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 60 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1802-2014 KRAMER ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Richard Gracy Jr. C14-78-216)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Abstain: Councilmember Mullen

Mayor McClellan brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, BRYON ADDITION, LOCALLY KNOWN AS 4749 E. BEN WHITE BOULEVARD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (David C. Woodland, Jr., C14-77-018)

The ordinance was read the third time, and Councilmember Goodman moved that the ordinance be finally passed. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor McClellan,
Councilmember Cooke

Noes: Councilmembers Mullen, Snell, Trevino

The Mayor announced that the ordinance had been finally passed.

Operating Budget Amendment

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$19,029.00 FROM THE COMMUNITY SERVICES ADMINISTRATION FOR THE PURPOSE OF HEAT RELIEF ASSISTANCE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

ITEMS PULLED FROM AGENDA

Councilmember Goodman moved that the Council postpone consideration of the following two zoning ordinances during the consent motion on ordinances: The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

CITY OF AUSTIN	11102-11214 & 11103 -	From Interim "AA" Residence
By Planning Depart-	11215 Barrington Way	1st Height and Area
ment	11100-11206 & 11101-	To "AA" Residence District
C14-80-125	11207 Henge Drive	1st Height and Area
	11100-11216 & 11101-	
	11217 Blackmoor Drive	
	11214-11218 & 11211-11221 Windermere Meadows	
	7800 & 7801 Bromley Drive	
	8544-8568 & 8604-8636 Spicewood Springs Road	
	7802-8014 Parliament Place	
	8104-8114 & 8103-8119 Greenwich Meridian	
	11408-11518 & 11409-11521 Chancellroy Drive	
	11500-11524 & 11501-11527 Heathrow Drive	

LUMBERMEN'S INVEST-	7000 Decker Lane,	From Interim "A" Residence
MENT CORP.	7900, 800Q, 8100	1st Height and Area
By Robert L. Davis	Loyola Lane	To "BB" Residence District
C14-73-228		1st Height and Area

AGENDA ITEM POSTPONED

Councilmember Goodman moved that the Council postpone consideration of amending the 1979-84 Capital Improvements Program by reallocating \$307,000 to fund the necessary improvements in water service areas SWA and SWB until September 11, 1980; referred rough draft of development of Williamson Creek to Environmental Board, Planning Commission and city staff for review; also other watersheds in Edwards Aquifer will be studied by task force. The motion, seconded by Councilmember Cooke, carried by the following vote.

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

Councilmember Himmelblau stated when the item was brought up for consideration: "I want some action as far as developing the ordinances and setting up a review by the Environmental Board and the Planning Commission, and also by the staff, and would like to see a task force appointed to work on development criteria for the other watersheds in the Edwards Aquifer area, and then come back on the Council Agenda."

CABLE TELEVISION

(COMPLETE TRANSCRIPT OF PROCEEDINGS IS ON FILE IN CITY CLERK'S OFFICE)

Mr. Davidson, City Manager, introduced to Council the consultant's report on Cable Television. He said, "In order that the Council would have adequate information on which to make appropriate decisions with regard to cable television service in Austin, the Cable Television Information Center was authorized to do a very comprehensive study, and tonight as one of our reports I would like to introduce the director of the Cable Television Information Center, Mr. Harold Horn of Washington, D.C. who will make a presentation as to the findings and recommendations of the institute."

Mr. Horn told Council that the document is very lengthy so he will only hit the highlights of it tonight. Mayor McClellan said that because of the length of the document she feels it will be appropriate for Council to schedule a work session on it at a later date. Mr. Horn then began to review the document by stating, "We start with a history of the contract to date, in terms of what's been the operating ground rules of the company and the city to this point in time. We do look then at the technical evaluation of the present system. We have made various tests over the city and have presented the results of these tests in this material. We also have done an evaluation of the proposal that has been made to you on the June proposal. We also have done a financial analysis." Mr. Horn continued with a summary of the report and what it contains.

Mr. Horn and Councilmember Goodman then discussed the cost of a converter to the customer.

Later, Mr. Horn commented, "You need to have a full ascertainment study in terms of needs. You have a lot of information in this report and separate materials have been presented to you. They need to be digested. There have to be some priorities established."

Councilmember Goodman inquired about the financial stability of Capital Cable. Mr. Horn told him, "Their debt apparently is very minimal. Their interest costs are virtually negligible at the current time. As we calculate their return on investment, and we are using a PUC approach, it would be 24% on investment.they are actually almost debt free in terms of comparison to other companies."

Councilmember Goodman asked about the audit of Capital Cable conducted by the City of Austin. Mr. Daron Butler, Assistant City Manager, told him, "The audit that the City of Austin performed in October of 1979 was an audit to determine whether or not the franchise fee was rendered to the city properly and that audit was performed and there was a calculation made, and it was entered properly. There was no internal audit that would have been made because that question would not have been addressed in that audit." (Councilmember Goodman had asked if there were two sets of books.)

Mayor McClellan asked Mr. Horn if Capital Cable had provided to them all the information they needed. Mr. Horn answered they have received excellent cooperation from the company. Then he discussed the proposal itself, talked about the number of channels proposed and when. He also discussed the proposed franchise fee payments.

Later in the discussion Mayor McClellan asked Mr. Horn if the company represents only municipalities. Mr. Horn answered "Yes". Mayor McClellan stated, "I wanted that clear and on the record." Mr. Horn explained, "We have been doing this for 8 years, and that is the only groups we work for."

Mr. Horn then discussed a franchise and what it should contain. The question of competitive bids was then raised and Mr. Horn said, "I just want to relate on the whole question of competitive bids, our experience across the country has been that in a rebuild situation it would be highly unusual for a city to do this. Unless you had reached a decision that you were terribly unhappy with the present company for very specific kinds of reasons. This is important to you and it is important to the company I think to fully understand during a process like this. For example, if this were one of the options that you were considering, there are rather substantial reasons why the present franchisee, if it is replaced by another company, these reasons should be thoroughly explored with this current operator in a hearing process.....This is the seventh largest system. There is no question but what there are many companies who would see this as an attractive possibility. At the same time they are going to be watching you in terms of the process which you have held in giving an existing company a fair opportunity to make its presentation and to go up or down on that presentation. Once you have made a decision one way or the other then it is fairly open. But, I think any company gets the message that the present company has not been fairly treated, they are also going to be reluctant to come in terms of a competitive situation. So I think it is something that if there is close scrutiny, this entire report is rather lengthy. There are a lot of issues that have not been raised. We had recommended as you have read, that you consider the negotiation process or at least as long as the franchising language remains rather vague, that you would at least not give a franchise for any length of perhaps 5 years to see that these things actually are produced and developed. You have to face a whole series of rather critical decisions and I think this is probably just one of your first steps in trying to get something to get your teeth into and to examine and I think the idea of the workshop is excellent and we will be happy if you care to have us involved in that."

Mr. Horn went on to say later that similar situations have arisen in Burbank, Glendale, Eugene, Springfield and Lane County. Councilmember Goodman asked, "Where a contract was actually renewed?" Mr. Horn replied:

"Yes, yes, and it was a long process. It took in both cases almost a year and a half to two years before all parties were in agreement. At no time was it a..really seriously considered to offer to competitive bids during that entire process. The general feeling was, and I think it is something that you need to keep in consideration, this particular company is no different than many others. They are caught in situations where nationwide the average is 12 channel system. They are being faced with fast changing technology. They have presented to you a staged program which we think is very sound, in terms of getting from here to there. We have raised a lot of questions that we need to pin down, but I think they are right on track in terms of what they are offering in terms of trying to get with what is occurring nationwide."

There was lengthy discussion on the competitive process of bidding and legal opinions.

Councilmember Snell asked, "What I would like to know is if we would open this up for competitive bid, could we expect much improvement over that offer of the 22 things you mentioned in your report." Mr. Horn said, "I would seriously doubt it, plus I think you would have a lot of other complications entering in just in terms of two operations for a period of time. ...The problem in which once you have divorced an existing company and still have three years left on the franchise to go before another is going to get inthe company that would come in would have to figure some way in terms of relating to the present operation and the extent of cooperation that would exist is conjectural.The process of going through and taking bids themselves is a process that, if you started right now, would take almost 9 months before it would be concluded and that's a fast pace. Then you have another 6-12 months before anybody is in a position to actually start construction and then you have probably 4 years at least in a system this size to actually construct."

Councilmember Mullen said, "There is a possibility we would be without cable for 3 years." Council continued with speculative conversation about what might or might not happen.

Councilmember Mullen commented on cable television being a free enterprise system...."if it was we wouldn't have all these problems with people getting payoffs and all that kind of stuff, that really bothers me. And I am concerned too about between now and October, if this Council shouldn't pass some kind of a resolution right now or put on for next week that we not be contacted by anybody else...that we can state right now or we can pass a resolution next week that under no circumstances will anybody on this Council receive any information from anybody except in the public forum." The Mayor totally agreed.

Motion

Councilmember Goodman moved that the Council direct the staff to work in conjunction with Mr. Horne and to have available for their work session, so they will be familiar with what that process will involve; a basic timetable of what would be included in the competitive process should we pursue that route; what major elements in an RFP would be similar to Dallas and to Omaha, or some of the better proposals that have emanated in the last 12 months or so; any appropriate ordinances or resolutions that would be required so Council will know what kind of process they are going to have to follow if they choose that option; and that those materials will be available at the work session that will be set at a later date. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman
Noes: None

CAPITAL IMPROVEMENTS PROGRAM HEARING

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. on the 1980-85 Capital Improvements Program.

Mr. Hector De Leon, President, Walsh Tarleton Neighborhood Association, spoke in support of CIP 81/62-24 (Paving - Walsh Tarlton Lane - French Creek to Stoneridge) and asked the Council to move up the proposed bridge.

Ms. Cindy Hutchison, Chairperson, Transportation Committee, Walsh Tarleton Neighborhood Association, by use of slides, spoke in support of CIP 81/62-24 and emphasized the need for the bridge.

Mr. Don Rogers, Superintendent, Eanes Independent School District, spoke in favor of CIP 81-62-24 and asked the Council to move up the priority of the bridge.

Ms. Hutchison pointed out that the County was willing to contribute \$37,000 toward the construction of the bridge as soon as the City committed itself to the project.

Mr. Gary Antrip, representing the Hancock Neighborhood Association, asked that \$40,000 be removed from CIP 81/86-13 in FY 83-84 and moved to FY 81-82. It would be included in the next bond package.

Mr. Charles Harker, president, Hancock Neighborhood Association, asked for funds to improve the Hancock golf course.

Councilmember Cooke asked for a report on the usage of the golf course.

Mayor McClellan stated her support for a junior golf development program and wondered if there were programs going on elsewhere that could be transferred to Hancock.

Mrs. Dorothy Richter, speaking in regard to CIP 38/62-22 (Paving - West 35th Street/MoPac - West 38th Street), suggested that transportation system management techniques be tried on the section of street under consideration. She also spoke in support of funding for Elizabet Ney Museum and Hancock Golf Course.

Ms. Barbara Cilley, representing the South River City Citizens, asked that the Storm Tract in South Austin be included in the CIP and placed in the upcoming bond package.

Ms. Diane Morris, representing the LBJ Neighborhood Association, spoke in support of the northeast park development and made the following recommendations:

1. Clear underbrush.
2. Build hike and bike trails marked with "No Motor Vehicles Allowed" in the park.
3. Rename the park to "LBJ Memorial Park."
4. Construct access parking off Loyola Lane.
5. Construct picnic units for the park.
6. Place trash receptacles in the area.
7. Locate the recreation center somewhere outside the park area.
8. Build the planned swimming pool in the LBJ High School area.
9. Delete the proposed tennis courts, but add lights for the LBJ High School tennis courts.
10. Keep the park area as environmentally protected as possible and allow the neighborhood association to have input to the planning of the park area before it is done.

Mr. Frank Horsfall spoke in support of better MHMR facilities.

Mr. Ron Allen, Balcones Civic Association, made the following points:

1. Asked that a swimming pool be added to the Spicewood Springs Park, if it was not already planned.
2. If the proposed Spicewood Springs Road was to be downgraded from six to four lanes, he wanted to be sure that four lanes would accommodate the traffic projected for that area.
3. Asked that the Steck Valley park road not be continued to Loop 360 until completion of Spicewood Springs Road.

Ms. Ari Wright, speaking for Austinites for Public Transportation, asked for a bond issue for public transportation, which could start with a downtown circulation plan.

Mr. David Hernandez asked for better facilities at Town Lake Park and to have more input at the selection level. He questioned the \$800 price each for 16 picnic tables at Fiesta Gardens.

Mayor McClellan asked for a report on the price of the tables.

Dr. Gary Witt, co-chairman, Northeast Austin, Democrats, expressed concern over the water and wastewater projects that were defeated in the last bond issue and which were in the proposed CIP again. He made the following comments:

1. CIP 73/62-44 (Paving - Cameron Road/US 183 - Childress Drive)
Should be downgraded somewhat.
2. CIP 79/62-33 (Paving - Rutherford Lane/IH 35 - Cameron Road)
Questioned the justification for the project.
3. CIP 79/80-04 (Civic Center)
Questioned the need for a new center and asked about the payback projections for use with outside conventions.
4. Wanted to see basic facilities placed in the Northeast District Park.

Mr. Merle Moden, representing the Austin Neighborhoods Council, felt that projects which had been defeated previously by the voters should be deleted from the CIP.

Mr. Gilbert Rivera asked that a pedestrian walkway be built at the intersection of Bolm Road, Airport Boulevard and Shady Lane. He also asked that improvements to Zaragosa Park be moved up in the CIP.

Mr. Joe Riddell asked the Council to look at the CIP with more regard to the City's Master Plan (Comprehensive Plan). He felt that if the City was to go with a one-year bond package, then the Planning Commission should be asked for its recommendations for a one-year program. In any upcoming election, he requested that the voters be allowed to vote on each project.

Mr. Pete Martinez asked for improvements to Town Lake Park, especially restroom facilities and water.

In conclusion, Mayor McClellan stated that the earliest date that a vote would be taken on the CIP would be September 11, 1980.

Motion

Councilmember Cooke moved that the public hearing be closed. The motion, seconded by Councilmember Mullen carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau

Noes: None

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. on the following application. Pursuant to published notice thereof, the following zoning was publicly heard:

BOB HOWERTON &
JOE GILBRETH
C14-80-128

111-145 Sheraton Avenue
4610-4706 Suburban Dr.

From Interim "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
Amended to 125' "A" Residence
on the east side & "BB"
Residence remainder.
NOT RECOMMENDED by the
Planning Commission

Mr. Lillie, Director of Planning, reviewed the application by use of slides. Councilmember Himmelblau stated she owns property in the area and therefore will not be voting on this case.

Mr. Howerton, applicant, appeared before Council and said they had amended their application request as recommended by staff. He said the property had been purchased for either a mobile home park or apartments. Mention has been made of using the land for a park, but Parks and Recreation Department is not interested in purchasing it for a park. His present plans are to build apartments with a row of duplexes as buffer between the apartments and residences in the area.

Sharon Gillespie, Battlebend Neighborhood Association, asked Council to deny the request because it will change the present residents lives. She presented a petition to Council which contains 432 names.

Mr. Jesse appeared and said the change in zoning will be harmful to the neighborhood.

MS. JEAN BEBBE appeared and pointed out a traffic problem would arise if the zoning is changed.

BERNARD LEVITAN talked about sidewalks and the bus route on Suburban.

DAVE TERRELL said Suburban is a long street. Two shopping centers are already being constructed in the area. They do not want more traffic in the area.

LOUIS KRIZAK said there are no sidewalks in the area and if there is going to be more traffic, then they need sidewalks.

VIRGIE CAMARILLO told Council there are 5,000 cars on the streets of their neighborhood daily. She also said there should be sidewalks.

RANDALL DERRICK pointed out that Mr. Howerton, in his plans, provides no access to Congress from the apartment complex, therefore their streets would get all the traffic. Mayor McClellan commented she would not put access on Congress either. It would be a bad situation.

MR. RANDALL appeared and also spoke to the traffic situation and lack of sidewalks.

VICTOR GONZALES showed slides of the area and opposed zoning request.

MR. MICKEY appeared and asked Council to zone the application permanent "A".

RON ANDERSON, an architect, talked about the added traffic of an apartment complex. He said he does not oppose apartments if they are developed properly but does not like Mr. Howerton's design. He asked that the property be zoned "A".

Mayor McClellan asked for a recess in the public hearing to allow time for Parks and Recreation to proceed with negotiations for purchase of the property. Mr. Howerton had stated that he had offered the property to Parks and Recreation but there has been no agreement on the price. Mr. Anderson said he thinks the neighborhood wants a decision tonight. Mayor McClellan said his plan is reasonable use of the property. She pointed out the city has the money to purchase the land for a park. Councilmember Trevino said there are three tracts of land and if Council makes a decision on the zoning they could still negotiate.

Mayor McClellan announced Council would recess for five minutes.

When Council resumed its recessed meeting, Ms. Sharon Gillespie said the neighborhood would like to proceed with the zoning to permanent "A".

Mr. Howerton reappeared before Council and stated there are sidewalks on the north side which is on his property. He said he has never refused access on Congress Avenue but the Transportation Department has because it would create a traffic hazard on Congress. He said the neighborhood does not want any compromise. He has discussed his plan with the Environmental Department and is willing to limit development to 70 units, but if trees need to be saved he would limit it more. If the property is zoned "A" he could build an apartment complex of 60 units. He said he is willing to sell his property to the city for a park.

Councilmembers Mullen and Goodman and Mayor McClellan discussed the options. Councilmember Mullen commended the neighborhood for their presentation. Mayor McClellan asked Mr. Ehrler to negotiate for a site for a park. Mr. Howerton, the applicant also commented and commended the neighborhood on their presentation. Councilmember Cooke said he had never heard an applicant commend their opposition before and said the Council appreciates it.

Mayor McClellan said, "Mr. Lillie, I don't know what's going on in your department right now. I know you mentioned starting some action to get permanent zoning there. The area I am particularly concerned about after driving around there is the area that connects to the area zoned "D" Industrial. It's a big undeveloped area. It seems like someone should get busy right away doing something on that before we have another zoning request.

Motion

Councilmember Goodman moved that the Council grant Permanent "A" Residence, 1st Height and Area District. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Cooke, Goodman, Mullen

Noes: Mayor McClellan

Abstain: Councilmember Himmelblau

The Mayor announced that the change had been granted to Permanent "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

1980 WORLD FRISBEE CHAMPIONSHIP

Councilmember Goodman moved that the Council approve the request or Mr. Christopher Baker for permission to sell beer, food and soft drinks at Auditorium Shores during the 1980 World Frisbee Championships August 30-31 and September 1, 1980 from 4:00 p.m. to 10:00 p.m., subject to details worked out by PARD. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell

Noes: None

Mr. Walter Timberlake, representing AFL-CIO, appeared before Council to say they want to have their Labor Day picnic on September 1 on Auditorium Shores. Mr. Ehrler told him there are two areas on the Shore and he is certain both organizations can be accommodated.

CITIZEN DID NOT APPEAR

Mr. Seth Searcy, president, Save Barton Creek Association, who had requested to appear to discuss the Southwest Area Study, did not appear. He had been in the Council Chamber, but due to the lateness of the hour, he did not wait.

EDWARDS AQUIFER

Mr. David Bloch appeared before Council to request a public hearing be held concerning a moratorium on development in the watersheds draining into the Edwards Aquifer recharge zone.

PENINSULA MORATORIUM

Mr. Emmett Shelton appeared to request an exception to the Peninsula Moratorium.

BANNERS APPROVED

Councilmember Trevino moved that the Council approve the request of Ms. Sandra Carter for permission to place street banners advertising Texas Festival of Metaphysics & Music at 11th and Lamar, San Gabriel & Lamar & 5th & Powell, from September 22, 1980 through October 6, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

ZONING HEARING RESET

Councilmember Goodman moved that the Council approve the request of Mr. Art Estes, vice president, Milwood Neighborhood Association, to postpone the hearing scheduled for zoning case No. C14-80-138 from August 28, 1980 to September 18, 1980 at 7:30 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan
Noes: None

MORATORIUM FOR RECHARGE ZONES

Mr. Joe Riddell appeared before Council to discuss the need for a moratorium on new development in the watersheds of the creeks which flow across recharge zones.

ROSEWOOD ZARAGOSA SENIOR LUNCH PROGRAM

Ms. Velma Cruse, Mr. Joe Mosqueda, and Mr. Angelo Borrererro appeared before Council to discuss the Rosewood Zaragosa Senior Luncheon Program. They all expressed their discontent at the proposal to move the program to the Givens Center. They said this would cause hardship on senior citizens. Councilmembers Snell, Goodman and Himmelblau all said they oppose the change also. Mr. Ehrler, Director of Parks and Recreation said they are trying to streamline the program in order to meet budget constraints. He said there would be no rent charged at Givens and there is a rental charge at Rosewood Zaragosa for utilities and maintenance. Mr. Davidson, City Manager, said Council should look at this problem during their budget deliberations. The Council instructed the City Manager to report to Council and discuss the situation. Councilmembers Trevino, Snell, Goodman, and Himmelblau expressed opposition to moving from Rosewood-Zaragosa.

CITIZEN DID NOT APPEAR

Due to the lateness of the hour, Mr. George A. Barton, who had requested to discuss a claim against the City of Austin, asked to be on the August 28, 1980 Agenda.

SERTOMA POOR BOY ART FAIR

Councilmember Trevino moved that the Council approve the request of Mr. Dan Valdez, president, Northwest Sertoma Club, for permission for the use of Auditorium Shores, September 3-7, 1980 for Sertoma Poor Boy Fair and permission to place portable signs at six locations. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

THIRD ANNUAL CHARITY CAR MEET

Councilmember Cooke moved that the Council approve the request of Lupes Carrizales for the use of Patterson Park on August 24, 1980 for Third Annual Charity Car Meet and permission for the sale of beer during the event. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke

Noes: None

Not in Council Chambers when roll was called: Councilmember Goodman

DISCUSSION OF ROLLBACK ON SIMMS PROPERTY

MS. CARMEN RENTERIA appeared before Council to discuss the rollback zoning on Simms property located between 4th and 2nd Street. She said the area is near a school and so they request a change from "D" Industrial to "A". They are concerned for the safety of their children and do not want junk yards, transit company and a warehouse near the school.

HORTENCIA RENGEL appeared to discuss the rollback on the Simms property. She said it was zoned industrial but the city allowed people to build houses there and then built a school. She said too much traffic surrounds industrial and is concerned for the safety of the children.

HAWKINS SOFTBALL TEAM

RUBY ALEXANDER had requested to appear before Council to discuss the securing of funds for the Austin Hawks Softball Team. Julie Wagner appeared in her place. The money requested is for sending the team to the national softball contest. The total amount needed is \$5,100.00 to apply toward their plane fare.

Councilmember Snell said he would like to direct the City Manager to direct staff to see if the city funds are available to help them finance their trip.

Mayor McClellan said Assistant City Attorney DeLaRosa had advised her that since action on this request is not included in today's agenda, no action can be taken today but it can be brought back for next week's agenda.

A member of the team who did not identify herself stated, "I don't know if you understood, but we have to commit, so if we say we are going and we come up short we are put on probation and cannot play in any tournaments next year." The Mayor explained to her that by law they cannot do anything today.

Mr. Davidson pointed out, "The letter says that you will compete. It appears you have made a decision to go and the Council cannot take action tonight but have indicated they will be delighted to put it on the Agenda for next week so they can consider the funding question."

SOLAR ENERGY AND ENERGY CONSERVATION BANK

MR. LEON BARRISH, Chairman, Renewable Energy Resources Commission, appeared before Council and stated as follows: "The Congress enacted the Energy Security Act in June of this year. Part of that Act is the creation of solar energy and energy conservation bank which will provide loan subsidies to residential and commercial property owners for the installation of energy conservation devices and energy systems. The Department of Housing and Urban Development is responsible for implementing the rules to establish the bank and the Department is moving very slowly in implementing those rules. We have drafted a letter to the President requesting that the rules be promulgated October 1st rather than the planned date of December 27th for the residential part of the program and March 21st for the multi-unit. The Department of Housing and Urban Development is responsible for the rules. The reason we are concerned is that the Department of Agriculture and the Department of Energy have already promulgated rules on their various responsibilities under the Act. We see no reason why HUD needs a longer period of time to get the bank rolling so we have drafted a letter to the President with a cover letter from the Mayor. We'd like permission to send that off later this morning."

Motion

Councilmember Cooke moved that the Council approve the mailing of a letter to the President of the United States concerning an earlier completion date than scheduled for the promulgation of rules implementing the solar energy and conservation bank. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen
 Noes: None
 Not in Council Chamber when roll was called: Councilmembers Snell, Trevino

PLANNING COMMISSION AND ENVIRONMENTAL BOARD REPORT

MR. MIKE GUERERRO, chairman of the Planning Commission, appeared before Council to report on Recommendations Regarding the Southwest Area Study. "On August 12 Mr. Daron Butler and Mr. Bill Bulloch presented the Southwest Area Study to the Planning Commission. After hearing an overview of the study's content and deliberating in some detail on the several short term projects designed to relieve existing distribution problems, the Commission came to an agreement with the staff recommendation. The Commission

recognizes the importance of safeguarding the Edwards Aquifer Recharge Zone and guidelines for responsible development and service levels should be developed by a task force composed of representative interests and expertise. The Commission suggests that two of its members, Gary Bradley and Bernard Snyder be considered by Council for appointment to this Task Force. In addition the Commission recommends a short term water improvements project as proposed by the Water and Wastewater Department. After hearing a description of existing commitments and the inefficient methods by which water service is maintained in the area it is obvious that the proposed projects are necessary. It was also observed that each can in the future become a part of any long range system improvements. Some reservations were expressed concerning the Davis Lane Reservoir portable pump facilities. It was not certain that this project could become part of any long range system."

Neal Graham, Chairman of the Environmental Board, appeared before Council and stated, "In a letter dated August 19, which I assume has been distributed to all members of the Council I transmitted not only the motion as passed by the Environmental Board, which made recommendations concerning the Southwest Area Study which we received about five days previous, but we also went into some detail in terms of specific reasons why we made recommendations which, as I am sure some of you know, are in conflict or more encompassing with the recommendations and the considerations taken by the Planning Commission. We felt like the Austin City Council should take the following action to protect the environmentally sensitive areas of the Edwards Aquifer Zone and its watersheds which contribute recharge from further harmful development and secondly provide and preserve an acceptable level of water service to the existing customers and lots with final approval as of August 13. The three items we felt you should take action to achieve those short term goals was to (1) extend a planning moratorium on subdivision activity in the Edwards Aquifer Recharge Zone and its distributing watersheds excluding the Barton Creek Watershed until appropriate ordinances and plans for growth management are adopted by the City Council to regulate development in each water shed. Secondly we recommend the limitation on the absolute number of taps serviced in the Southwest A and Southwest B pressure zone to sum not greater than the existing number of customers served plus the existing number of lots which have received final approval as of August 13, 1980. Contingent upon one and two that I have previously stated, immediately undertake the projects listed on pages 8, 10 and 11 of Appendix B of the Southwest Area Study which are the \$307,000.00 in projects that the Water and Wastewater Department recommended. In addition the Board recommends that in the event the platting moratorium is contemplated in one above is not adopted by the Council that the Barton Creek Ordinances be extended into all of the watersheds contributing recharge into the Edwards Aquifer which feeds Barton Springs. Basically we feel is is very short sighted to make improvements to a system which are significant improvements, not just improvements to improve the level of service for existing customers. The actual improvements would allow service of about 8,000 plus customers rather than the approximately 4800 customers that are currently served. And while we have no problem with the Water and Wastewater Department with regard to providing an acceptable level of service to the area, we feel like the report almost entirely ignored the environmental consequences of development in that area, specifically the comprehensive plan which I am sure we are intimately familiar with states specifically that the development should be

compatible with the principles stated in the plan on page 156 for area 4 and 5. Those basically state that the development which takes place in those areas should not contribute in any way, shape or form to the degradation of service ground waters of the area. For example, at the same meeting at which the Planning Commission made its recommendations without consideration of a moratorium and without consideration of any restriction on the sale of taps they approved a first section of a particular subdivision of 139 lots on 31.54 acres, something in excess of four units per acre. I don't have the impervious cover figures, but you can guess at 4 units per acre it would be quite dense. If Council feels they want to redistribute Improvement Funds which were approved for other projects and to make improvements in an area in which the voters overwhelmingly, 3-1 voted down water system improvements, that it only makes sense you take some kind of action which shows this is to improve the service for the existing customers and not just a bail out of this particular development interest in the particular area. If the situation exists where improvements are made to the system and there is no attempt to try to get a handle on how many people are served by that system, there is no guarantee the same situation will not rear its head again at some future date which I assume if the Council takes action to approve those funds they will do the same thing in the future. Finally, I had the opportunity to listen to tapes of the Planning Commission Meeting of last Tuesday the 12th. I thought there were some very telling comments. Sally Shipman said 'We have approved subdivisions where there was not the capacity to serve them'. Daron Butler remarked this was the fastest growing area of our community, if not in terms of construction certainly in terms of the subdivision process and we feel that because of the situation that existed in March when Mr. Butler said if you do not put a platting moratorium on you would have a land rush situation, that that is exactly what happened and will continue to happen unless the Council takes some kind of action to restrict the number of people served in the area by the proposed improvements. The Board has not stipulated who they would like to serve on their task force but they will be individuals who have no pecuniary interest in the area whatsoever.The Council should hold a public hearing to have a moratorium and also to consider the restriction of the sale of taps in the Williamson Creek, the Slaughter Creek, Little and Big Bear Creeks as well as Onion Creek Watersheds."

Mr. Mike Guererra continued with a report on the Lake Austin Peninsula Study. He said many studies made by the city, county and resident associations concerning the Lake Austin Peninsula have all been ready, studied, discussed and debated. It is necessary to do the best job possible to put into place the policies, codes and ordinance provisions that will guide public and private decisions in the area. On July 22 the Planning Commission acted favorably on four motions. One to establish special development district within the subdivision regulation to provide density averaging one unit per acre, excluding public land; low density street standards; septic tanks or alternative systems excluding a wastewater system; and extension of city water in accordance with city policy. The second motion is to proceed with limited purpose annexation, with "SR" zoning and the conditions in the first motion. The third motion was to rescind the MUD contract for Davenport Ranch as the contract for water and wastewater service is not compatible with the comprehensive plan. The fourth motion was for full purpose annexation to be considered when the fiscal impact to the city is not negative or maintain the low density standards. The majority of the Commission felt the implementation of these recommendations would provide the tools to implement development standards which are compatible to the interests of the area and of the city.

At the time of roll call Mayor McClellan stated for the record her reasons for voting affirmatively: "Realizing the applicant can come back for perhaps a higher intense use if it is appropriate and approved by this Council, I think an appropriate land use is "A" on this property. It is adjacent to "A" residential. It is near a school and it is now vacant. So I think a very appropriate use of the land would be "A" and I will vote Yes."

Councilmember Trevino moved that the Council grant "A" Residential, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Snell
Noes: Councilmember Mullen

The Mayor announced that the change had been granted to "A" Residential, 1st Height and Area District on the entire tract, and the City Attorney was instructed to draw the necessary ordinance to cover.

LOBBYIST FOR CITY OF AUSTIN

Councilmember Himmelblau moved that the Council adopt a resolution to hire Longley and Maxwell as lobbyist for the City of Austin. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Snell, Trevino
Noes: None
Abstain: Mayor McClellan, Councilmember Mullen

Prior to the vote Mayor McClellan said she would like to see a combination plan for the lobbyist and to have negotiations with Johnson as well as Longley and Maxwell. She thought they each have specific areas of expertise. Councilmember Goodman said he supports the motion for Longley and Maxwell. He said Bob Johnson could be considered in a combination plan for a specific project in the future.

Mayor McClellan made a remark for the record as follows: "I will abstain, but let the record reflect I fully support having Longley as lobbyist but I would like to see the combination."

Councilmember Cooke said, "I would like it to be reflected that my vote for Mr. Longley and Mr. Maxwell is, although there may be some specific issues that we would like to consider some special expertise on, that whoever we may retain to perform and act for the City of Austin will, in my opinion, be this particular firm. I don't want it misconstrued that we are going to, at a later date, enter into a joint arrangement and have a dual situation. I can appreciate retaining someone for expertise on a specific matter. I want to make it clear that my vote tonight is for this particular firm to act for the City of Austin on all matters throughout the session."

Mayor McClellan said she had some questions. She asked Mr. Lillie if there had been a staff recommendation on this piece of property. He replied that he did not recall and had found the file to be incomplete. Due to the lateness of the hour his office is locked and he cannot get in to find the information the Mayor requested. The Mayor referred to a map and said, "For the record, the question I am asking....I know that on behalf of the applicants you have to establish a reasonable use of property and I was asking if this property adjacent to the tract is residential." Mr. Lillie stated, "The property west of Linden is residential. The property to the north is the Brooke Elementary. The property to the south and east is zoned and developed commercially with light industrial uses." Mayor McClellan referred to the map and wondered about a section of it being residential. Mr. Jerry Harris, City Attorney, stated, "When this case was heard, one thing that occurred to me was I wasn't sure if the recommendations that usually comes from the Planning staff and the Planning Commission on a piece of property was present. The planners make an analysis of a piece of property and make a recommendation of what they think the use should be. It seemed to me when this case was heard by Council that that was absent. That is why I and others are having problems about the proper use of this tract.That is why I have been having problems in my mind when I was asked questions about the legal responsibility of determining the proper use of a tract leaving a reasonable use, etc. I mentioned to the Mayor that maybe a zoning case should be instituted on this individual tract, coming through the Planning Department, the staff, etc. and maybe a moratorium on a building permit being issued until the proper analysis of zoning has been determined on the tract." Mr. Lillie said the Planning Commission recommended "A" residential zoning. Mr. DeLaRosa read an excerpt from the Planning Commission Minutes which supports this. Mr. Harris said he was asked the question as to whether or not "A" residential would leave an appropriate reasonable use of this tract of land. "What I'm really saying is, I'm not sure there has been that sort of intense analysis on this particular tract but it can be zoned "A" and the applicant can come in for some more intense zoning at some later time." Mayor McClellan said she asked Mr. Lillie what his interpretation would be concerning the proper use of the land. Councilmember Goodman said before he responds he wanted to know if his answer would prejudice in the event any litigation results as a consequence of a successful vote on roll-back. "If we are doing anything other than clarifying what the record already shows," said Mr. Lillie, "maybe we are getting back to things that should have been done at the public hearing." There was more discussion, then Mr. Harris told Council this should be sent back if they want to know from the Planning Commission and the staff what the zoning should be. Mayor McClellan stated, "I don't want the record to reflect that any errors have been made." Councilmember Mullen said, "The reason I am going to vote against the motion is because I think it is unfair and improper to go in to people who have had a piece of property for many years and say 'because I put my house or my school next to your property, now I expect you to roll back your zoning'. That is not fair." Councilmember Goodman said he thought Council had to view situations as circumstances change.

August 21, 1980

Mr. Graham told Council, "We concur in many respects with the recommendations of the Planning Commission but we feel there ought to be something more specifically said in terms of where the peninsula is served with water." He referred to his letter which was presented to Council earlier. (COPY ON FILE IN CITY CLERK'S OFFICE)

Councilmember Goodman stated, "When I made the motion for the moratorium it was a part of my motion that referred the matter to the Environmental Board and to my knowledge that was the first time the Board was asked to take an active role in the decision making concerning the peninsula, which this Council had been working on for approximately two years. I was disturbed that in your last letter you characterized the Planning Commission's view of the peninsula recommendations as a cursory review and I don't think they ever made an attempt to diminish your efforts which have been significant and admirable and I think they, too, have dedicated themselves to trying to figure out a very complex question. The last thing we need is bickering between boards and commissions which are both dedicated to trying to work out a solution of the real problem." Mr. Graham said he did not mean any offense by the remark but was trying to point out that in his personal view that he felt like recommendations which are transmitted to Council in the form he received them are not discussed in as much detail as the matters deserve and as the Council recommended.

There was more discussion concerning the above, and Mr. Guererra said that their report was not a cursory one, but a lot of time was spent on it and he wanted this reflected in the record. Councilmember Goodman thanked both men for their views and said their discussion had cleared the air. No action was taken.

ZONING CASE

A public hearing had been previously held on the following zoning case. It was placed on the Agenda for action.

CITY OF AUSTIN
PLANNING DEPARTMENT
(Simms Property)
C14-80- 025

201-307 Linden St.

From "D" Industrial
3rd Height and Area
To Appropriate Zoning
RECOMMENDED by the Planning
Commission "A" Residence
1st Height and Area

Councilmember Himmelblau said it is her understanding that Longley and Maxwell will be lobbyists for the city.

Councilmember Mullen stated, "I voted against the lobbyist to begin with. I think it's a waste of money. I think we are wasting city resources."

PART PAY SYSTEM

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of a grant application to the U.S. Public Health Service for \$1,575,866.00 to fund a "Part Pay System". The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Mullen said "I want the record to show that this and the City Manager to verify that this program would not lock us into a situation where we started another government program with Federal funding and in a year or two we were to start picking up more and more of the tab. Do you understand that that will not happen in this program?" Mr. Davidson answered, "If we lose this funding we will not have the program." Councilmember Mullen continued, "I also want another question answered. This program is anticipated to generate \$879,000 from patient fees that are used to reimburse the cost of operating the program?" Mr. Davidson said yes. "I question that," said Councilmember Mullen, "and I want the record to reflect I question that. I'd like for us to look at this a year from now and see if it really generates that."

UDAG APPLICATION

Councilmember Cooke moved that the Council set a public hearing on Urban Development Grant Application for October 2, 1980 at 10:00 a.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Cooke asked about the timing of the public hearing. Mr. Herrera told him the requested public hearing is not to request an application; it is simply to digest with you what has been occurring. We have only held two informational meetings and one workshop. As a result of those we are also scheduling an additional workshop to make sure that those people we are trying to entice for this type of program are informed and are prepared to make some commitments up front.

COMMUNITY DEVELOPMENT BLOCK GRANT FUND

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY APPROPRIATING \$16,206.51 FROM THE GENERAL FUND ENDING BALANCE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Himmelblau stated, before the motion was made, "I objected to the City paying the \$575.00 for ARA. I don't think it is our liability and I think it should come out of their budget, and also wanted to see if some of the kitchen equipment couldn't be paid for by the Community Block Grant Fund. I know a lot of it can't be, but I think the kitchen equipment is part of the permanent building. If we can't get that I don't want to see us pay the \$575 and I know it's peanuts compared to the rest, but it is a matter of principle."

TAX RATE INCREASE ITEM POSTPONED

Consideration of the following was postponed until August 28, 1980 at 9:00 A.M.:

1. Taking a vote on the City Manager's proposed tax rate increase.
2. Setting a public hearing on proposed tax rate increase.
3. Notices on proposed tax rate increase.

PURPA

Consideration of Public Utility Regulatory Policy Act (PURPA) was postponed until August 28, 1980 at 9:15 A.M. Items to be discussed are:

1. Hearing Procedures
2. Selection of Professional Services
 - a. Professional services for assistance with prepared testimony.
 - b. Professional services for assistance with arranging and administering the hearings process.